

ROY WILSON §  
v. § CIVIL ACTION NO. 9:11cv48  
WARDEN JANIE COCKRELL §

The Petitioner Roy Wilson, proceeding *pro se*, filed this application for the writ of habeas corpus under 28 U.S.C. §2254 complaining of the legality of disciplinary action taken against him during his confinement in TDCJ. This Court ordered that the matter be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

On April 4, 2011, the Magistrate Judge ordered Wilson to pay the filing fee of \$5.00, based upon a review of his application for leave to proceed *in forma pauperis* and the attached data sheet. Wilson received a copy of this order on April 11, 2011, but to date has not complied, nor has he responded in any way.

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The Court has carefully reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has concluded that the Report of the Magistrate Judge is correct. It is accordingly

ORDERED that the Report of the Magistrate Judge is ADOPTED as the opinion of the District Court. It is further

ORDERED that the above-styled application for the writ of habeas corpus be and hereby is DISMISSED without prejudice. It is further

ORDERED that the Petitioner Roy Wilson is hereby DENIED a certificate of appealability *sua sponte*, with the denial of this certificate relating solely to an appeal of this case; the denial of this certificate should not affect Wilson's right to refile his petition should he choose to do so. Finally, it is

ORDERED that any and all motions which may be pending in this civil action are hereby DENIED.

So **ORDERED** and **SIGNED** this **21** day of **June, 2011**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

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Ron Clark, United States District Judge